

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

KENNETH L. JOHNSON and for
DRAKE T. JOHNSON,

Civil No. 05-2084 PAM/AJB

Plaintiff,

v.

O R D E R

SHANNON M. WIRTH, BOB BACKBERG,
JASON OST, KATHLEEN NYGREN,
Brainerd Police Officer No. BDP004JL,
JANINE LE PAGE, LYNDA K. ERICKSON,
JILL M. MCKENZIE, JOHN A. BOLDUC,
Dr. DELESENTE, ROD KNOWLES,

Defendants.

Based upon the Findings of Fact, Conclusions of Law, and Recommendation by United States Magistrate Judge Arthur J. Boylan dated October 11, 2005, all the files and records, and no objections having been filed to said Recommendation,

IT IS HEREBY ORDERED that:

1. Plaintiff's application for leave to proceed in forma pauperis, (Docket No. 2), is **DENIED**; and

2. This action is **DISMISSED WITHOUT PREJUDICE**.

DATED: October 28, 2005

s/ Paul A. Magnuson _____
Judge Paul A. Magnuson
U. S. District Court